

CALL TO ORDER

- I. Mayor Taylor called the regular meeting of the Plan Commission of May 5, 2005, to order at 7:02 p.m. in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin. Present were Alderman Skowronski, Commissioners Bennett, Ritter & Ziegenhagen. Also present were City Attorney Jesse Wesolowski, Planner Booth, Planning Intern Mentkowski & Planning Secretary Wilson.

MINUTES**II.**

- A. Commissioner Ritter moved and Commissioner Ziegenhagen seconded a motion to approve the minutes as corrected of the regular meeting of the Plan Commission of April 21, 2005, with minor changes. Upon voice vote, all voted 'aye'.

PUBLIC HEARINGS**III.**

Request by Equitable Real Estate & Development to obtain public comment upon a petition to amend the Zoning Code (Map), Section 15-3.0102 of the Unified Development Ordinance from R-8 Multiple-Family Residence District to R-5 Suburban Single-Family Residence District for property located at approximately South Harvard Drive & South 53rd Street, SW 1/4 Section 02 (Tax Key Number 741-9987-001).

- A. Mayor Taylor opened the Public Hearing for item III.A. at 7:23 p.m. Verification of the notice of Public Hearing was read into the record. Several citizens and Alderman Sohns spoke to the rezoning. No one else coming forward, the Public Hearing was closed at 7:37 p.m.

Request by the City of Franklin to obtain public comment upon a petition to amend the Zoning Code (Map), Section 15-3.0102 of the Unified Development Ordinance from R-3 Suburban/Estate Single-Family Residence District to I-1 Institutional District, for property located at approximately South North Cape Road, West Rawson Avenue & West Forest Home, NE 1/4 of Section 07 (Tax Key Number 751-9997-000).

- B. Mayor Taylor opened the Public Hearing for item III.B. at 7:48 p.m. Verification of the notice of Public Hearing was read into the record. Several citizens and Alderman Sohns spoke to the rezoning. No one else coming forward, the public hearing was closed at 8:10 p.m.

Request by the City of Franklin to obtain public comment upon an ordinance to amend the Unified Development Ordinance DIVISION 15-3.0603 TABLE OF PERMITTED AND SPECIAL USES IN ALL NONRESIDENTIAL ZONING DISTRICTS to add certain uses as Permitted Uses in I-1 Institutional District.

- C. Mayor Taylor opened the Public Hearing for item III.C. at 8:14 p.m. Verification of the notice of Public Hearing was read into the record. Alderman Sohns spoke to the proposed ordinance. No one else coming forward, the Public Hearing was closed at 8:15 p.m.

Request by James Rieser, DVM, on behalf of Forest Home Animal Clinic to obtain public comment upon a petition for a Special Use Permit to build an addition to an existing veterinary clinic and to add indoor boarding kennels at approximately 11222 West Forest Home Avenue, SE 1/4 of Section 06 (Tax Key Number 748-9966-002), zoned B-2 General Business District.

- D. Mayor Taylor opened the Public Hearing for item III.D. at 8:28 p.m. Verification of the notice of Public Hearing was read into the record. No one else coming forward, the public hearing was closed at 8:30 p.m.

Request by Franklin Oaks Partners, LLC, to obtain public comment upon a petition for an amendment to Special Use Permit Number 2004-5676, dated April 05, 2004, making minor modifications to building #8 "Maple," for property known as The Villas of Franklin, located approximately South of West Drexel Avenue & East of South 35th Street (~Patricia Ct - 7984-7986 S), NE 1/4 of Section 13 (Tax Key Numbers 809-0068-000 & 809-0069-000).

- E. Mayor Taylor opened the Public Hearing for item III.E. at 8:35 p.m. Verification of the notice of Public Hearing was read into the record. Michael Krill, Attorney for Villa Partners, LLC, spoke in favor of the Special Use Amendment. No one else coming forward, the Public Hearing was closed at 8:38 p.m.

BUSINESS

Request by Equitable Real Estate & Development to waive the Administrative Procedures of the City Plan Commission of the City of Franklin, Wisconsin, to take action on Item III. immediately after a Public Hearing and to take action on the same night as the public hearing and to recommend an amendment to the Zoning Code (Map), Section 15-3.0102 of the Unified Development Ordinance from R-8 Multiple-Family Residence District to R-5 Suburban Single-Family Residence District for property located at approximately South Harvard Drive & South 53rd Street, SW 1/4 Section 02 (Tax Key Number 741-9987-001).

Request by Equitable Real Estate & Development to recommend a Preliminary Plat for property located at approximately South Harvard Drive & South 53rd Street, to be known as Serenity Estates, SW 1/4 Section 02 (Tax Key Number 741-9987-001), zoned R-5 Suburban Single-Family Residence District.

Request by the City of Franklin to take action on the same night as the public hearing and to recommend an amendment to the Zoning Code (Map), Section 15-3.0102 of the Unified Development Ordinance from R-3 Suburban/Estate Single-Family Residence District to I-1 Institutional District, for property located at approximately South North Cape Road, West Rawson Avenue & West Forest Home, NE 1/4 of Section 07 (Tax Key Number 751-9997-000).

Request by the City of Franklin to take action on the same night as the public hearing and to recommend an amendment to the Unified Development Ordinance DIVISION 15-3.0603 TABLE OF PERMITTED AND SPECIAL USES IN ALL NONRESIDENTIAL ZONING DISTRICTS to add certain uses as Permitted Uses in I-1 Institutional District.

IV.

- A. Alderman Skowronski moved and Commissioner Ritter seconded to refer the matter to Staff. Upon voice vote, all voted 'aye'. Motion carried.
- B. Alderman Skowronski moved and Commissioner Ritter seconded to table Item IV.B. to the regular meeting of the Plan Commission of May 19, 2005. If the statutory time limit on Preliminary Plats has expired and the applicant has not extended the time limit with a written document, the Preliminary Plat is denied because 1) the property is not properly zoned for the development and 2) the length of the proposed Cul-de-Sac street exceeds the maximum length allowed by the Unified Development Ordinance SECTION 15-5.0103 A.1. STREET AND ROAD DESIGN STANDARDS. Upon voice vote, all voted 'aye'. Motion carried.
- C. Alderman Skowronski moved and Commissioner Ritter seconded to refer to Staff for consideration and discussion with all affected City departments. Upon voice vote, all voted 'aye'. Motion carried.
- D. Alderman Skowronski moved and Commissioner Bennett seconded to table Item IV.D. indefinitely. Upon voice vote, all voted 'aye'. Motion carried.

Request by James Rieser, DVM, on behalf of Forest Home Animal Clinic to take action on the same night as the public hearing and to recommend a Special Use Permit to build an addition to an existing veterinary clinic and to add indoor boarding kennels at approximately 11222 West Forest Home Avenue, SE 1/4 of Section 06 (Tax Key Number 748-9966-002) zoned B-2 General Business District.

Request by Franklin Oaks Partners, LLC, to take action on the same night as the public hearing and to recommend an amendment to Special Use Permit Number 2004-5676, dated April 05, 2004, making minor modifications to building #8 "Maple," for property known as The Villas of Franklin, located approximately South of West Drexel Avenue & East of South 35th Street (~Patricia Ct - 7984-7986 S), NE 1/4 of Section 13 (Tax Key Numbers 809-0068-000 & 809-0069-000), zoned R-8 Multiple-Family Residence District.

Request by Franklin Oaks Partners, LLC, to recommend Phase II of condominium development for property known as The Villas of Franklin, located approximately South of West Drexel Avenue & East of South 35th Street (~Patricia Ct - 7984-7986 S), NE 1/4 of Section 13 (Tax Key Numbers 809-0068-000 & 809-0069-000), zoned R-8 Multiple-Family Residence District.

- E. Commissioner Bennett moved and Alderman Skowronski seconded to waive the Administrative Procedures of the City Plan Commission of the City of Franklin, Wisconsin, to take action on Item III.D. immediately after a Public Hearing. Upon voice vote, all voted 'aye'. Motion carried.

Alderman Skowronski moved and Commissioner Bennett seconded to find the request meets all General Standards for allowing a Special Use as required by the Unified Development Ordinance Section 15-3.0701.A., and recommend Common Council approve a special use to permit Dr. James & Donna Rieser, on behalf of Forest Home Animal Clinic, to build an addition to an existing veterinary clinic and to add indoor boarding kennels at approximately 11222 West Forest Home Avenue, SE 1/4 of Section 06 (Tax Key Number 748-9966-002) zoned B-2 General Business District. Upon voice vote, all voted 'aye'. Motion carried.

- F. Alderman Sohns moved and Commissioner Ritter seconded to waive the Administrative Procedures of the City Plan Commission of the City of Franklin, Wisconsin, to take action on Item III.E. immediately after a Public Hearing. Upon voice vote, all voted 'aye'. Motion carried.

Alderman Skowronski moved and Commissioner Ritter seconded to find the request meets all General Standards for allowing a Special Use as required by the Unified Development Ordinance Section 15-3.0701.A., and recommend Common Council approve a special use to permit an amendment to Special Use Permit Number 2004-5676, dated April 05, 2004, making minor modifications to building #8 "Maple," for property known as The Villas of Franklin, located approximately South of West Drexel Avenue & East of South 35th Street (~Patricia Ct - 7984-7986 S), NE 1/4 of Section 13 (Tax Key Numbers 809-0068-000 & 809-0069-000), zoned R-8 Multiple-Family Residence District. Upon voice vote, all voted 'aye'. Motion carried.

- G. Commissioner Ritter moved and Alderman Skowronski seconded to recommend Phase II of a condominium development for property known as The Villas of Franklin, located approximately South of West Drexel Avenue & East of South 35th Street (~Patricia Ct - 7984-7986 S), NE 1/4 of Section 13 (Tax Key Numbers 809-0068-000 & 809-0069-000), zoned R-8 Multiple-Family Residence District, contingent on: 1) completion and acceptance by the Common Council of a satisfactory Subdivision Development Agreement; 2) receipt of a Letter of Credit as required by the Engineering Department of the City of Franklin and 3) written approval from the Wisconsin Department of Transportation for access to South 27th Street (USH 41). Upon voice vote, all voted 'aye'. Motion carried.

Request by Ener-Con Builders to recommend a Preliminary Plat for property located at approximately South 51st Street & Tumblecreek Drive, to be known as Victorian Acres, SE 1/4 Section 02 (Tax Key Number 740 9985 000), zoned R-5 Suburban Single-Family Residence District.

Request by MLG RE 2002 LLC to recommend a Certified Survey Map for property located at approximately South 27th Street & West Oakwood Road, to be known as Hidden Oaks, SE 1/4 Section 25 (Tax Key Numbers 928 9995 000, 928 9996 000 & 928 9997 004), zoned R-3 Suburban/Estate Single-Family Residence District.

Request by MLG RE 2002 LLC to recommend Conservation Easements for property located at approximately South 27th Street & West Oakwood Road, to be known as Hidden Oaks, SE 1/4 Section 25 (Tax Key Numbers 928 9995 000, 928 9996 000 & 928 9997 004), zoned R-3 Suburban/Estate Single-Family Residence District.

Request by Alliance Development Group LLC to discuss and comment on a concept review for Goodyear Just Tires at approximately 2930 West Rawson Avenue, SE 1/4 Section 01 (Tax Key Number 738 9993 000), zoned R-6 Suburban Single-Family Residence District.

Request by Consolidated Freightways Truck Lines to discuss and comment on a concept review for an office building at approximately 10601 South 27th Street, NE 1/4 Section 36 (Tax Key Number 951-9996-008), zoned M-1 Limited Industrial District (proposed zoning in South 27th Street Corridor Plan is B-7 South 27th Street Mixed Use Office District).

H. Alderman Skowronski moved and Commissioner Ziegenhagen seconded to recommend a request by Ener-Con Builders to approve a Preliminary Plat for property located at approximately South 51st Street & Tumblecreek Drive, to be known as Victorian Acres, SE 1/4 Section 02 (Tax Key Number 740 9985 000), zoned R-5 Suburban Single-Family Residence District. Upon voice vote, all voted 'aye'. Motion carried.

I. Commissioner Ziegenhagen moved and Alderman Skowronski seconded to recommend a request by MLG RE 2002 LLC to approve a Certified Survey Map for property located at approximately South 27th Street & West Oakwood Road, to be known as Hidden Oaks, SE 1/4 Section 25 (Tax Key Numbers 928 9995 000, 928 9996 000 & 928 9997 004), zoned R-3 Suburban/Estate Single-Family Residence District. Upon voice vote, all voted 'aye'. Motion carried.

J. Alderman Skowronski moved and Commissioner Ritter seconded to recommend a request by MLG RE 2002 LLC to recommend Conservation Easements for property located at approximately South 27th Street & West Oakwood Road, to be known as Hidden Oaks, SE 1/4 Section 25 (Tax Key Numbers 928 9995 000, 928 9996 000 & 928 9997 004), zoned R-3 Suburban/Estate Single-Family Residence District, contingent on adding a period after the words "diseased trees" and striking "construction of a future roadway connection to 31st Street, as depicted on Exhibit A." Upon voice vote, all voted 'aye'. Motion carried.

K. No action needed; none taken.

L. No action needed; none taken.

Request by St Nikolas Association, Inc., to approve a Site Plan for the addition of a pavilion, for property located at 7220 West Rawson Avenue, known as Root River Center, SW 1/4 Section of 03 (Tax Key Number 743-8992-001), zoned B-2 General Business District.

- M. Alderman Skowronski moved and Commissioner Ritter seconded to approve a request by St Nikolas Association, Inc., for a Site Plan for the addition of a pavilion, for property located at 7220 West Rawson Avenue, known as Root River Center, SW 1/4 Section of 03 (Tax Key Number 743-8992-001), zoned B-2 General Business District. Upon voice vote, all voted 'aye'. Motion carried.

The Mayor called a recess at 9:00 p.m.
The meeting resumed at 9:05 p.m.

Request by Ralph Sokolick to approve a Bulding Move to move a house from Mount Pleasant WI, to property located at 9164 South 94th Street, SE 1/4 Section of 20 (Tax Key Number 887-0009-000), zoned R-3 Suburban/Estate Single-Family Residence District.

- N. Alderman Skowronski moved and Commissioner Ritter seconded to approve a request by Ralph Sokolick for a Bulding Move to move a house from Mount Pleasant WI, to property located at 9164 South 94th Street, SE 1/4 Section of 20 (Tax Key Number 887-0009-000), zoned R-3 Suburban/Estate Single-Family Residence District, contingent on approval by the Architectural Review Board and meeting all federal, state and local regulations. Upon voice vote, all voted 'aye'. Motion carried.

Request by O'Malley Investments Limited Family Partnership to recommend Conservation Easements for Stone Hedge Residential Subdivision Addition No. 1, located at approximately West Loomis Road and West Old Loomis Road, NW 1/4 of Section 09 (Tax Key Number 754-0030-000), zoned R-3 Suburban/Estate Single-Family Residence District.

- O. Commissioner Ritter moved and Commissioner Bennett seconded to recommend a request by O'Malley Investments Limited Family Partnership to recommend Conservation Easements for Stone Hedge Residential Subdivision Addition No. 1, located at approximately West Loomis Road and West Old Loomis Road, NW 1/4 of Section 09 (Tax Key Number 754-0030-000), zoned R-3 Suburban/Estate Single-Family Residence District, contingent on correction of the Mayor's name. Upon voice vote, all voted 'aye'. Motion carried.

Request by Bob Schermeister to recommend to the Common Council a land combination located at 4132 Pebble Beach Court, SW 1/4 of Sec. 01 (739-0043-000 & 739-0126-000), zoned PDD Planned Development District #02 (TUMBLECREEK/HIDDEN LAKES DEVELOPMENT).

- P. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to recommend a request by Bob Schermeister to approve a land combination for property located at 4132 Pebble Beach Court, SW 1/4 of Sec. 01 (739-0043-000 & 739-0126-000), zoned PDD Planned Development District #02 (TUMBLECREEK/HIDDEN LAKES DEVELOPMENT). Upon voice vote, all voted 'aye'. Motion carried.

Request by Vulcan Materials Company - Midwest Division Milwaukee Quarry to find an amendment to a Planned Development District to be minor, not requiring a public hearing, and to recommend the amendment to PDD #24 VULCAN MATERIALS COMPANY, to add an outdoor wash bay to an existing building, located at approximately South 51st Street and West Rawson Avenue, NW 1/4 of Section 11.

Proposed amendment to the City of Franklin Unified Development Ordinance, Part 3: Zoning Districts: District Establishment, Dimensional, and Use Regulations, or as may be otherwise located and numbered within such Ordinance, to create a new RC-1 Conservation Residence District (proposed within Division 15-3.0200), providing in part for allowing a diversity of lot sizes and single and multiple family uses, housing choices and building densities, while protecting and restoring environmentally sensitive areas, a new B-7 South 27th Street Mixed-Use Office District (proposed within Division 15-3.0300), providing in part for the development of high quality office and retail uses, a new OL-1 Office Overlay District (proposed within Division 15-3.0300), providing in part for the development of high quality office uses and other supportive business service uses as a component, and the amendment of the existing B-4 South 27th Street Business District (Section 15-3.0304) to a proposed B-4 South 27th Street Mixed-Use Commercial District, such amendment providing in part for the development of mixed uses such as retail, commercial, office and residential. Such specific words and phrases within such proposed amendment not currently defined by the Unified Development Ordinance are also proposed for amendment to and inclusion within Division 15-11.0100 Definitions, including but not limited to "Minimum Building Coverage", "Maximum Building Coverage", "Secondary Use" and "Base Zoning". Such proposed amendment is based upon the recommendations, discussions, information and provisions within the South 27th Street Corridor Plan, A Joint Project, City of Franklin, City of Oak Creek, which has been adopted as an element of the City of Franklin Comprehensive Master Plan by Plan Commission Resolution No. 2005-01 and the certification thereof being accepted as specified by the Common Council with the removal of the Sycamore Street extension upon the adoption of Resolution 2005-5822. (City of Franklin, applicant)

Q. Commissioner Ritter moved and Alderman Skowronski seconded a determination that a request by Vulcan Materials Company – Midwest Division Milwaukee Quarry, is minor, not requiring a public hearing. Upon voice vote, all voted 'aye'. Motion carried.

Alderman Skowronski moved and Commissioner Ritter seconded to recommend a request by Vulcan Materials Company - Midwest Division Milwaukee Quarry to approve an amendment to PDD #24 VULCAN MATERIALS COMPANY, to add an outdoor wash bay to an existing building, located at approximately South 51st Street and West Rawson Avenue, NW 1/4 of Section 11. Upon voice vote, all voted 'aye'. Motion carried.

R. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to refer this item to Staff for consultation with appropriate City officials and departments to make all changes and corrections in the Staff Report. Upon voice vote, all voted 'aye'. Motion carried.

Request to recommend a proposed amendment to the City of Franklin Unified Development Ordinance, Part 3: Zoning Districts: District Establishment, Dimensional, and Use Regulations, and Division 15-5.0100 Design Standards for Land Divisions, or as may be otherwise located and numbered within such Ordinance, to create new South 27th Street Design Standards, including but not limited to requirements and standards for streetscape, parking, landscape and site design, off-street parking, lighting, signage and architectural requirements. The proposed standards would be applicable within the area of and based upon the contents and concepts of the South 27th Street Corridor Plan, A Joint Project, City of Franklin, City of Oak Creek, which has been adopted as an element of the City of Franklin Comprehensive Master Plan by Plan Commission Resolution No. 2005-01 and the certification thereof being accepted as specified by the Common Council with the removal of the Sycamore Street extension upon the adoption of Resolution 2005-5822. A map of the South 27th Street Corridor Plan Area is annexed hereto. (City of Franklin, applicant)

Request to recommend a proposed amendment to §15-3.0102 (Zoning Map) of the Unified Development Ordinance for the rezoning of certain areas in the South 27th Street Corridor Plan Area from West Rawson Avenue to West South County Line Road, South 27th Street to South 31st Street, approximately and as depicted upon the Plan Area Map annexed hereto, from B-2 General Business District, B-3 Community Business District, B-4 South 27th Street Business District, B-5 Highway Business District, BP Business Park District, PDD Planned Development District, R-6 Suburban Single-Family Residence District and M-1 Limited Industrial District to new as amended B-4 South 27th Street Mixed-Use Commercial District, new B-7 South 27th Street Mixed-Use Office District, new RC-1 Conservation Residence District and new OL-1 Office Overlay District. In addition to those parcels existing within the Plan Area Map annexed hereto, a more specific listing of the properties to be rezoned, current zoning district designations and proposed designations, is as follows: (See Agenda for full list)

ADJOURNMENT

S. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to refer this item to Staff for consultation with appropriate City officials and departments to make all changes and corrections in the Staff Report. Upon voice vote, all voted 'aye'. Motion carried.

T. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to refer this item to Staff for consultation with appropriate City officials and departments to make all changes and corrections in the Staff Report. Upon voice vote, all voted 'aye'. Motion carried.

V. Commissioner Ritter moved and Commissioner Bennett seconded a motion to adjourn the May 5, 2005, meeting of the Plan Commission. Upon voice vote, all voted 'aye'. Motion carried. The meeting adjourned at 10:00 p.m.